

REMARKS/ARGUMENTS

Claims 1-10, 19, 29, 31, 39, 40, 48, 49, 57-59, 61, 64-71, 73, and 76-81 are pending in the application. By way of this amendment, claims 1, 49, 57-58, 61, 64-65, 67, 69-71, 73, and 76-81 are amended. No claims are added or canceled. Accordingly, claims 1-10, 19, 29, 31, 39, 40, 48, 49, 57-59, 61, 64-71, 73, and 76-81 remain pending, with claims 1, 58, and 70 being independent. No new matter is added by way of this amendment.

For support for the amendment to claims 1, 58, and 70 to recite

wherein the process execution means, among the subsequent controls stored in the database associated with a currently executed control, indentifies a control in which a product is a largest product of the weighting factor and the calculated likelihood,

please see at least Figures 8 and 10, paragraphs 94-95, 117, 123-126, 132-134, 161, and 173.

For support for the amendment to claim 70 to recite “A[[n]] ~~information~~ non-transitory recording medium,” please see at least page 57, line 25-page 58, line 2 of the application as filed.

Claims 49, 57, 58, 61, 64, 65, 67, 69, 71, 73, and 76-81 have been amended to correct typographical errors and for further clarity. No new matter is added by these nonsubstantive amendments.

Claim Objections

Claim 58 stands objected to “because of the following informalities: ‘a computer performer’ should be ‘computer performing.’ ” Claim 58 is amended herein to obviate the objection.

Claim Rejections – 35 USC § 112

Claims 70-71, 73, and 76-81 stand rejected under 35 USC 112, first paragraph, as allegedly failing to comply with the written description requirement. The Office Action alleges that the previous amendment, to claim “an information recording medium storing a program,” constitutes new matter. This rejection is respectfully traversed. Please see page 67, lines 5-9 of the application as filed, which states:

When the OS bears a part of the processes, or the OS constitutes a part of a single constituting element of the invention, a program excluding that part may be stored in a recording medium. In this case, it is also assumed that according to the invention, a program for executing the individual functions or steps to be executed by the computer is stored in the recording medium.

Because the specification as filed provided written description of “a program...stored in the recording medium,” the amendment to claim 70 to claim “An information recording medium storing a program” was supported by the written description of the specification as filed, and does not constitute new matter. Withdrawal of the §112 rejection is respectfully requested.

Claim Rejections – 35 USC § 101

Claims 58, 59, 61, 64-71, 73, and 76-81 stand rejected under 35 USC 101 as allegedly being directed toward non-statutory subject matter. These rejections are respectfully traversed in light of the instant amendments.

Claim 58 and its dependents, claims 59, 61, and 64-69, stand rejected because the claimed process allegedly (1) is not tied to another statutory category (such as a manufacture or a machine), or (2) does not transform underlying subject matter (such as an article or material) to a different state or thing. This rejection is respectfully traversed. Claim 58 states, *inter alia*, “specifying content of a subsequent control to be performed on an external device...and performing the subsequent control” (emphasis added). Applicant respectfully asserts that performing a control on a device constitutes a process that is tied to a manufacture or a machine.

The Office Action also notes that “a computer performing” has not been given patentable weight because the recitation occurs in the preamble. To expedite prosecution, this recitation has been moved from the preamble to the body of the claim, which now recites, *inter alia*:

*A device control method, comprising:
performing, in a computer performer:
a speech recognition step...;
a specifying step...; and
a process execution step.*

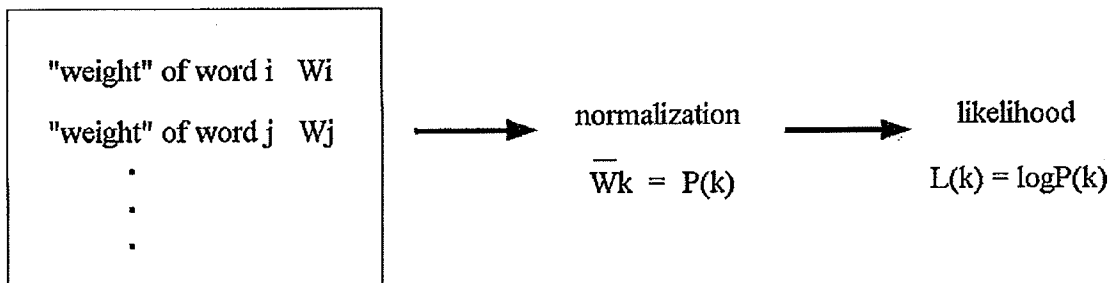
The method, as amended, is now further tied to a manufacture or machine because of the recitation of a computer in the body of the claim. Withdrawal of the rejection of claims 58, 59, 61, and 64-69 is thus respectfully requested.

Claim 70 and its dependents, claims 71, 73, and 76-81, stand rejected as allegedly not being limited to a tangible, and thus statutory, medium. Claim 70 is amended herein to recite, *inter alia*: "A[[n]] ~~information~~ non-transitory recording medium," to obviate the rejection. Withdrawal of the rejection of claims 70, 71, 73, and 76-81 is thus respectfully traversed.

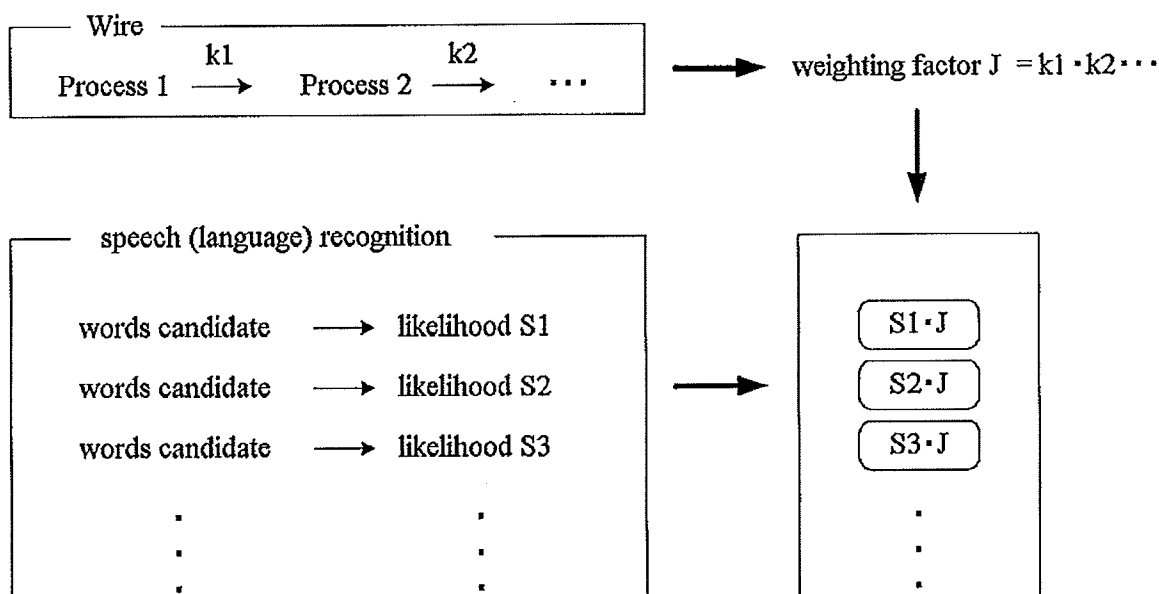
Claim Rejections – 35 USC § 103

Claims 1, 4-10, 19, 29, 31, 39, 40, 48, 49, 57-59, 61, 64-71, 73, and 76-81 are rejected under 35 U.S.C. 103(a) as allegedly being obvious over Funk (U.S. Pub. 2003/0065427), hereinafter "Funk," in view of Kennewick (U.S. Pub. 2004/0193420), hereinafter "Kennewick," and further in view of Fukada (U.S. Pub. 2005/0131699), hereinafter "Fukada." Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Funk, Kennewick, and Fukada as applied to claims 1, 31, 40 and 49 above, and further in view of Potter (U.S. Pat. 5,729,659), hereinafter "Potter." These rejections are respectfully traversed in light of the instant amendments.

The Office Action admits that the combination of Funk and Kennewick does not teach that the speech recognition means specifies word candidates and calculates a likelihood of each candidate, and relies on Fukada as allegedly teaching this feature, specifically in paragraph 38. However, the cited passage teaches determining a "weight" which corresponds to probability of occurrence. The weight of a certain word i , W_i , is acquired from Equations 2 and 3 (paragraph 50). As shown in Equation 4, when every weight W_i is normalized by the words to be recognized, language probability $P(k)$ is acquired and the likelihood $L(k)$ is defined as the logarithm of $P(k)$. In other words, in Fukada, the likelihood $L(k)$ is acquired from the "weight" which is the probability of occurrence. The likelihood $L(k)$ is a parameter depending on the "weight":



On the other hand, the weighting factor of some exemplary embodiments of the presently claimed invention is acquired by using a transition constant k preset in a path (referred to as a "wire" in some embodiments), or more specifically, multiplying each transition constant in a path. The weighting factor is acquired independent from the likelihood S :



The concept of the "weight" described in Fukada is fundamentally different from the weighting factor J described above. Moreover, as described above, determining a process that the acquired product of the likelihood S and weighting factor J is the largest after the following process is not disclosed in Fukada.

Independent claim 1, as amended, recites, *inter alia*:

speech recognition means which...calculates a likelihood of each of the specified words candidates...

process execution means which specifies content of a subsequent control to be performed on an external device to be a control target based on... a weighting factor stored in association with the currently executed control and the content of the uttered speech specified by the specifying means...wherein the process execution means, among the subsequent controls stored in the database associated with a currently executed control, identifies a control in which a product is a largest product of the weighting factor and the calculated likelihood (emphasis added).

Claims 58 and 70 include similar limitations. To summarize, the limitations provided above require two independent variables: a stored weighting factor, and a calculated likelihood, and the product of these two factors is used to identify the control. Fukada, on the other hand, teaches "likelihood" which is a dependent variable of "weight." The limitations copied above thus are not disclosed or suggested by Funk, Kennewick, or Fukada, either alone or in any proper combination. Potter fails to make up for the deficiencies in Funk, Kennewick, and Fukada, as evidenced by the fact that Potter was only cited as allegedly teaching specifying a part of speech and a content of the speech. Therefore, independent claims 1, 58, and 70 are not obvious over the combination of Funk, Kennewick, Fukada, and Potter. Dependent claims 2-10, 19, 29, 31, 39, 40, 48, 49, 57, 59, 61, 64-69, 71, 73, and 76-81 are patentable at least due to their dependence on one of patentable independent claims 1, 58, or 70. Withdrawal of the various §103 rejections is thus respectfully requested.

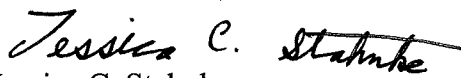
CONCLUSION

In view of the foregoing, applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Further, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


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Attachments
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